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10/687,736	10/20/2003	Miwako Doi	04329.3164	9256
22852	7590	04/01/2008		
FINNEGAN, HENDERSON, FARABOW, GARRETT & DUNNER LLP 901 NEW YORK AVENUE, NW WASHINGTON, DC 20001-4413			EXAMINER PYO, MONICA M	
			ART UNIT	PAPER NUMBER
			2161	
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			04/01/2008	PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

# Office Action Summary

## Application No.

10/687,736

## Applicant(s)

DOI, MIWAKO

## Examiner

MONICA M. PYO

## Art Unit

2161

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 20 December 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 2, 8, 9, 11, 16 and 17 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 2, 8, 9, 11, 16 and 17 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date 12/20/07.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application.
- 6) ☐ Other: \_\_\_\_\_.

**DETAILED ACTION**

1. This communication is responsive to the Amendment filed 12/20/2007.
2. Claims 2, 8-9, 11 and 16-17 are currently pending in this application. Claims 2 and 11 are independent claims. In the Amendment filed 12/20/2007, claims 2, 8-9, 11, 16 and 17 are amended. This action is made Final.

***Information Disclosure Statement***

3. Applicant's explanation is persuasive. Therefore, the information disclosure statement submitted on 12/20/2007 is being considered by the Examiner.

***Claim Rejections - 35 USC § 103***

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 2, 8-9, 11 and 16-17 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 7,111,164 issued to Kinoshita (hereinafter Kinoshita) in view of U.S. Patent No. 6,275,824 issued to O'Flaherty et al. (hereinafter O'Flaherty), further in view of U.S. Patent No. 5,930,391 issued to Kinjo et al. (hereinafter Kinjo), and further in view of U.S. Patent No. 7,181,438 issued to Szabo (hereinafter Szabo).

Regarding Claims 2 and 11, Kinoshita discloses an information sharing apparatus, which communicates with a plurality of terminals (i.e., fig. 1, terminals 2a, 2b and 2c) corresponding to a plurality of users respectively, comprising:

**A). a first receiving unit configured to receive an authentication request including authentication information of one of the users, as the terminal apparatus accepts identification information (Kinoshita: col. 3, Ins. 32-39);**

**B). an authentication unit (i.e., the server computer) configured to execute personal authentication by using the authentication information, and obtain, if the authentication information is authentic, two pass IDs (i.e., the ID, the password and the biometrics information) whose values are the same, as the server computer authenticates the person trying to receive information by taking the ID, the password and the bio-information (Kinoshita: col. 3, Ins. 32-44; col. 8, Ins. 66- col. 9, Ins. 15);**

**C). a transfer unit (i.e., MPU11) configured to transfer one of the two pass IDs to one of the terminals which corresponds to the one of the users, as the information is transmitted to the terminal apparatus 22 (Kinoshita: col. 9, Ins. 21-24) ;**

**D). a second receiving unit configured to receive a pass ID and an information item including a biometrics information, as the terminal apparatus 22 receive the ID and the biometrics information, such as a fingerprint (Kinoshita: col. 9, Ins. 21-33);**

**E). a first generation unit configured to generate a temporary ID (i.e., fig. 8, ID) when the pass ID is equal to another of the two pass IDs, as the Authentication Data File ID and the biometric authentication using the ID and the password (Kinoshita: col. 8, Ins. 5-24; fig. 8);**

**H). a first storing unit configured to store a pair of the temporary ID and a personal ID which corresponds to the personal information item, as the database configuration of an authentication data file (Kinoshita: col. 8, Ins. 5-24; fig. 8);**

**J). a second storing unit configured to store the anonymous information item to which the temporary ID and one of a plurality of levels which corresponds to the personal information item are added, and the encrypted personal information item, and the anonymous information item, the levels including (a) a first access level which is assigned to a first group of users (i.e., the low access level permission level, the travel agents) of the users who can access only the anonymous information item out of the anonymous information item and the personal information item and (b) a second access level which is assigned to a second group of users (i.e., the highest access permission level, the dispatcher within the airport) of the users who can access both of the anonymous information item and the personal information item, as the database configuration of a characteristic registration file (Kinoshita: col. 6, lns. 14-67; col. 8, lns. 5-24; figs. 5, 6, and 8);**

**K). a third receiving unit configured to receive a request message for accessing the information item, the request message being transmitted from another of the terminals, as the message being displayed on the display 24 (Kinoshita: col. 8, lns. 35-49);**

**L). a first transmitting unit configured to transmit only the anonymous information item (i.e., the ID and the password) out of the anonymous information item and the personal information item to the another of the terminals (i.e., the terminal apparatus 2) in response to the request message, when an access level predetermined to a user of the users which corresponds to the another of the terminals is equal to the first access level, as the authentication of the ID and the password is performed including the biometric information (Kinoshita: col. 8, lns. 49-col. 9, lns. 24);**

Although Kinoshita discloses:

- D). a fingerprint biometric information** (Kinoshita: col. 9, lns. 30-33);
- F). an extracting unit configured to extract an information item** (i.e., an incident information), **to detect the characteristic information**, as the information extraction method to perform a characteristics matching (Kinoshita: col. 9, lns. 34-55);
- G). a second generating unit configured to generate an anonymous information**, as the operator adds the supplemental information (Kinoshita: col. 9, lns. 66-col. 10, lns. 9; fig. 11).

Kinoshita does not explicitly disclose:

- D). the specific biometrics information including an image of a person;**
- F). an extracting unit configured to extract a contour of a person's face from the information item, to detect an image of the person's face as a personal information item;**
- G). a second generating unit configured to generate an anonymous information item by separating the detected personal information item from the information item, to obtain (a) the anonymous information item which is the information item including the information item except the image of the person's face and (b) the personal information item corresponding to the image of the person's face;**
- I). an encrypting unit configured to encrypt the personal information item;**
- M). a synthesizing unit configured to synthesize the personal information item with the anonymous information item to obtain a regenerated information item including the image of the person's face; and**

**N). a second transmitting unit configured to transmit the regenerated information item in response to the request message, when the access level of the user is equal to the second access level.**

However, Kinjo discloses:

**D). the specific biometrics information including an image of a person, as the person's face image (Kinjo: col. 18, lns. 53-58);**

**F). extract a contour of a person's face from the information item, to detect an image of the person's face, as the contour of a person and the person's face image (Kinjo: col. 13, lns. 62-67; col. 17, lns. 53-58).**

**G)/M).information item including the image of the person's face, as the person's face image (Kinjo: col. 18, lns. 53-58).**

It would have been obvious to a person with ordinary skill in the art at the time of invention to modify the teachings of Kinoshita with the teachings of Kinjo to utilize the image of a person with the motivation to enhance obtaining the accurate information with a correct contour of image (Kinjo: col. 1, lns. 11-20).

Kinoshita and Kinjo do not explicitly disclose:

**G). a second generating unit configured to generate an anonymous information item by separating the detected personal information item from the information item, to obtain (a) the anonymous information item which is the information item including the information item and (b) the personal information item corresponding to the information;**

**I). an encrypting unit configured to encrypt the personal information item;**

**M). a synthesizing unit configured to synthesize the personal information item with the anonymous information item to obtain a regenerated information item including the information; and**

**N). a second transmitting unit configured to transmit the regenerated information item in response to the request message, when the access level of the user is equal to the second access level.**

However, O'Flaherty discloses:

**G). a second generating unit configured to generate an anonymous information item by separating the detected personal information item from the information item, to obtain (a) the anonymous information item which is the information item including the information item and (b) the personal information item corresponding to the information, as to implementing privacy rules and deleting customer information (O'Flaherty: col. 4, lns. 37-60; col. 8, lns. 46-61);**

**M). a synthesizing unit configured to synthesize the personal information item with the anonymous information item to obtain a regenerated information item including the information, as to implementing privacy rules to make the personal data anonymous (O'Flaherty: col. 4, lns. 49-60); and**

**N). a second transmitting unit configured to transmit the regenerated information item in response to the request message, when the access level of the user is equal to the second access level, as the kiosk/pos device to accept consumer input regarding privacy preferences and storing information (O'Flaherty: col. 5, lns. 1-16).**



It would have been obvious to a person with ordinary skill in the art at the time of invention to modify the teachings of Kinoshita and Kinjo with the teachings of O'Flaherty to utilize the method of creating an information with the motivation to enhance the privacy access enforcement (O'Flaherty: col. 1, Ins. 26-32).

Kinoshita and Kinjo and O'Flaherty do not explicitly disclose:

**I). an encrypting unit configured to encrypt the personal information item;**

However, Szabo disclose:

**I). an encrypting unit configured to encrypt the personal information item, as a**  
SSL encryption of the personal information (Szabo: col. 37, Ins. 45-55; col. 57, Ins. 38-51);

In addition to Kinoshita, Szabo also discloses:

**J). including (a) a first access level which is assigned to a first group of users of the users who can access only the anonymous information item out of the anonymous information item and the personal information item and (b) a second access level which is assigned to a second group of users of the users who can access both of the anonymous information item and the personal information item, as the user's personal profile being segmented into multiple portions while preventing the server to obtain too much private information (Szabo: col. 41, Ins. 1-27).**

It would have been obvious to a person with ordinary skill in the art at the time of invention to modify the teachings of Kinoshita, Kinjo and O'Flaherty with the teachings of Szabo to utilize the data encryption in the data privacy management system with the motivation to enhance protecting personal information (Szabo: Abstract; col. 49, Ins. 4-14).

Regarding Claims 8 and 16, Kinoshita and Kinjo and O'Flaherty and Szabo disclose the apparatus wherein the synthesizing unit includes (O'Flaherty: col. 4, lns. 49-60):

a first acquiring unit configured to acquire the pair based on a temporary ID added to the anonymous information item, to obtain the personal ID of the pair (Kinoshita: col. 8, lns. 5-24; fig. 8) and (O'Flaherty: col. 9, lns. 15-24; fig. 2A); and

a second acquiring unit configured to acquire the personal information item which corresponds to the personal ID of the pair and is to be synthesized with the anonymous information, from the second storing unit (Kinoshita: col. 6, lns. 14-67; col. 9, lns. 15-24) and (O'Flaherty: col. 4, lns. 49-60; col. 8, lns. 46-61; col. 14, lns. 31-42).

Regarding Claims 9 and 17, Kinoshita and Kinjo and O'Flaherty and Szabo disclose the apparatus wherein the second generating unit generates the anonymous information item by overwriting into an area corresponding to the personal information item with arbitrary symbols (Kinoshita: col. 9, lns. 61-col. 10, lns. 9; fig. 11, step 116) and (O'Flaherty: col. 4, lns. 37-60).

#### *Response to Arguments*

6. Applicant's arguments with respect to claims 2, 8-9, 11 and 16-17 have been considered but are moot in view of the new ground(s) of rejection.

#### *Conclusion*

7. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to MONICA M. PYO whose telephone number is (571)272-8192. The examiner can normally be reached on Mon & Thur 7:00 - 3:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Apu Mofiz can be reached on 571-272-4080. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Art Unit: 2161

Monica M Pyo

Examiner

Art Unit 2161

*mpyo*

*3/22/2008*

*/Apu M Mofiz/*

Supervisory Patent Examiner, Art Unit 2161